

MINUTES

MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN BOB DEPRATU**, on March 28, 2003 at 9:06 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Bob DePratu, Chairman (R)
Sen. Bob Story Jr., Vice Chairman (R)
Sen. Jerry W. Black (R)
Sen. John C. Bohlinger (R)
Sen. Jon Ellingson (D)
Sen. Jim Elliott (D)
Sen. Bill Glaser (R)
Sen. Dan Harrington (D)
Sen. Walter McNutt (R)
Sen. Mike Taylor (R)
Sen. Ken Toole (D)

Members Excused: None.

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Shirley Herrin, Committee Secretary

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

Committee Business Summary:

Executive Action: SB 407, SB 255, SB 461, SB 155,
SB 167 (Indefinitely Postponed),
SB 297, SB 93 (Indefinitely
Postponed), SB 463,

CHAIRMAN DEPRATU announced that Judy Paynter, from the Department of Revenue, lost her sister recently and asked if the committee would like to send Judy a card and flowers. The committee opted to send a card and a fruit basket to Judy.

CHAIRMAN DEPRATU turned the Chair over to **VICE CHAIRMAN ROBERT STORY, JR.**

EXECUTIVE ACTION ON SB 407

9:09 **SEN. DEPRATU** moved to reconsider action on SB 407. The motion carried. He then moved amendment SB040720.alh dated March 27,2003 at 5:27pm **EXHIBIT**(tas66a01). The motion carried unanimously.

9:12 **SEN. BILL GLASER** moved amendment SB040721.alh **EXHIBIT**(tas66a02) .

Discussion:

9:14 Begin

9:16 Ended

2 min Time elapsed.

Vote: The motion carried with DEPRATU voting NO.

9:17 **Motion:** **SEN. DEPRATU** moved that SB 407 DO PASS AS AMENDED.

Discussion:

9:17 Begin

9:19 **Motion:** **SEN. BOHLINGER** moved to reconsider action on amendment SB040720.alh. as he would like to strike the 60 cent increase and re-insert the 70 cent increase.

Further Discussion:

9:20 Begin

9:22 **Vote:** Motion to reconsider action failed 4-7 with **BLACK, DEPRATU, ELLIOTT, GLASER, MCNUTT, STORY,** and **TAYLOR** voting no. Roll Call Vote No. 1.

9:25 **Motion/Vote:** **SEN. DEPRATU** moved that SB 407 DO PASS AS AMENDED. Motion carried 7-4 with **ELLINGSON, ELLIOTT, HARRINGTON,** and **TOOLE** voting no. Roll Call Vote No. 2.

EXECUTIVE ACTION ON SB 255

9:27 **SEN. DEPRATU** moved to reconsider action taken on SB 255. The motion carried.

9:28 **Motion:** **SEN. DEPRATU** moved that SB 255 DO PASS and moved amendments SB025502.alh. **EXHIBIT**(tas66a03). He addressed the amendments. Lee Heiman addressed the

amendments further. Vote: The motion carried unanimously. Roll Call Vote No. 3.

9:31 Motion/Vote: SEN. ELLINGSON moved that SB 255 DO PASS AS AMENDED. Motion carried 6-5 with ELLINGSON, ELLIOTT, GLASER, HARRINGTON, and TOOLE voting no. Roll Call Vote No. 4.

EXECUTIVE ACTION ON SB 461

9:33 Motion: SEN. STORY moved that SB 461 DO PASS. He then moved amendment SB046104.alh. **EXHIBIT**(tas66a04) Dolores Cooney, Dept of Revenue, addressed the amendments.

9:38 Vote: Motion on the amendment carried unanimously.

9:40 Motion: SEN. STORY moved amendment SB046105.alh. **EXHIBIT**(tas66a05) and addressed the amendment. Vote: Motion on the amendment carried unanimously.

9:41 SEN. STORY presented amendment SB046103.alh **EXHIBIT**(tas66a06) and addressed the amendment. The committee discussed segregating the amendment.

9:44 Motion: SEN. STORY moved amendment SB046105.alh. in its entirety.

Discussion:

9:44 Begin

9:51 SEN. JIM ELLIOTT moved a conceptual amendment to return to the '99 Solution which would place residential property at a 34% level and commercial property at 18.5%.

10:08 Vote: Motion on the amendment carried 7-4 with DEPRATU, BLACK, TAYLOR AND STORY voting no. Roll Call Vote No. 5.

10:09 Motion/Vote: SEN. STORY moved that SB 461 DO PASS AS AMENDED.

Discussion:

10:10 Begin

10:11 Brad Simshaw, Dept of Revenue, explained the law for the property tax assistance program.

10:19 Ended

9 min Time elapsed.
10:20 Motion carried 10-1 with STORY voting no. Roll Call
Vote No. 6.

EXECUTIVE ACTION ON HB 452

10:21 Motion: SEN. TOOLE moved that HB 452 DO PASS.

Discussion:

10:22 Begin
10:36 Ended - SEN. DEPRATU asked if the committee would like
to postpone executive action on the bill until Monday
to allow Terry Johnson to bring additional information.

EXECUTIVE ACTION ON SB 155

10:38 Motion: SEN. TAYLOR moved that SB 155 DO PASS. He
moved amendments SB015501.alh **EXHIBIT**(tas66a07). The
motion carried unanimously.

10:40 Motion/Vote: SEN. TAYLOR moved that SB 155 DO PASS AS
AMENDED.

Discussion:

10:40 Begin
10:46 Ended
6 min Time elapsed.

10:46 VOTE: Motion carried 10-1 with HARRINGTON voting no and
MCNUTT voting by proxy.

CHAIRMAN DEPRATU called a recess.

EXECUTIVE ACTION ON SB 167

11:05 Motion/Vote: SEN. STORY moved that SB 167 BE
INDEFINITELY POSTPONED. Motion carried unanimously with
MCNUTT voting by proxy.

EXECUTIVE ACTION ON SB 297

11:08 Motion: SEN. GLASER moved that SB 297 DO PASS. He
then moved the amendments SB029702.alh
EXHIBIT(tas66a08). SEN. GLASER addressed the
amendments.

Discussion:

11:09 Begin
11:25 Ended
14 min Time elapsed.

11:26 **Motion:** SEN. ELLIOTT moved that SB 297 BE AMENDED SB029701.alh. **EXHIBIT**(tas66a09). The motion carried.

Discussion:

11:29 Begin
11:31 SEN. STORY moved a conceptual amendment to strike everything that would eliminate all golf courses. The motion carried.
11:32 **Motion/Vote:** SEN. GLASER moved that SB 297 DO PASS AS AMENDED. Motion carried 7-4 with ELLIOTT, HARRINGTON, and TOOLE voting no. MCNUTT voted by proxy. Roll Call Vote No. 7.
11:36 A further discussion was held on SB 461.

EXECUTIVE ACTION ON SB 93

11:39 **Motion/Vote:** SEN. STORY moved that SB 93 BE INDEFINITELY POSTPONED. Motion carried 10-1 with MCNUTT voting no.

EXECUTIVE ACTION ON SB 463

11:43 **Motion:** SEN. BLACK moved that SB 463 DO PASS. He then moved amendments SB046301.agp **EXHIBIT**(tas66a10). SEN. BLACK addressed the amendments.

Discussion:

11:47 Begin
11:55 Ended
8 min Time elapsed.

11:55 **Vote:** DO PASS Motion on the amendments on SB 463 carried 4-7 with ELLIOTT and TOOLE voting no. MCNUTT voted by proxy.

11:56 **Motion/Vote:** SEN. BLACK moved that SB 463 DO PASS AS AMENDED. Motion carried 7-4 with ELLINGSON, ELLIOTT, GLASER, HARRINGTON, MCNUTT, STORY, TAYLOR, and TOOLE voting no. MCNUTT voted by proxy. Roll Call Vote

No. 8.

ADJOURNMENT

Adjournment: 12:00 P.M.

SEN. BOB DEPRATU, Chairman

SHIRLEY HERRIN, Secretary

BD/SH

EXHIBIT (tas66aad)